

URBAN AREA PLANNING COMMISSION
Meeting Minutes – January 26, 2022, at 6:00 p.m.
Council Chambers

COMMISSIONERS:

Eric Heesacker (Chair)
Mark Collier (Vice Chair)
Loree Arthur
Jennifer Aviles
Susan Tokarz-Krauss
L. Ward Nelson
Clint Scherf
Vacant

City/Staff/Council Liaisons:

Bradley Clark (Director)
Jason Maki (Associate Planner)
Donna Rupp (Associate Planner)
Ryan Nolan (Contract Principal Planner)
Gabby Sinagra (Assistant Planner)

Guests:

Wade Elliott – Assistant Public Works Director
Justin Gerlitz – Gerlitz Engineering Consultants
Bruce Wiznap
Scott White

Roll Call:

Commissioner Arthur.

Here.

I'm Eric. I'm here. Commissioner Scherf.

Here.

Introductions:

Staff, any introductions? I'll take that as a no.

Public Comment:

Item three, public comments. This is an opportunity for the public to address the commission on items not related to a public hearing or action item on the agenda. The intent is to provide information that is pertinent to the city's jurisdiction. Each speaker will be given three minutes to address the commission as one body, not to individuals. The commission may consider items brought up during this time later in our agenda during matters from commission members and staff. Anybody fit that bill?

All right, no one's raising their hands.

Approval of Minutes:

We move on to item 4A, approval of minutes from the last meeting. Do we have a motion? Any amendments? Commissioner Nelson.

Mr. Chair, I would move approval. Although I don't know if we need all the prior dialogue to six o'clock on there.

Do we want to strike it, is that what you're suggesting?

There are some comments that you made, that you may want to keep in there.

That I made that we don't want to keep in there?

No, it's fine.

Okay, so there's a motion to approve the minutes as written. Do I have a second?

Second.

Commissioner Arthur seconds. All those in favor, say aye. Aye.

Aye.

Aye.

Anybody opposed? Any abstentions?

I have to abstain.

Two abstentions. Thank you. Did you guys get the abstentions were Commissioner Aviles and Commissioner Collier.

MOTION/VOTE

**Commissioner Nelson moved, and Commissioner Arthur seconded the motion to approve the minutes from the January 12, 2022, meeting. The vote resulted as follows:
"AYES": Chair Heesacker, Commissioners Tokarz-Krauss, Arthur, Nelson, and Scherf.
"NAYS": None. Abstain: Vice Chair Collier and Commissioner Aviles. Absent: None.
The motion passed.**

Informational Items:

Are there any informational items from staff?

Findings of Fact:

Item six, [inaudible], we don't have any of those.

Continued Deliberation:

- a. 201-00410-21 ~ Greenfield RV Park Major Site Plan Review ~ Staff Report

Item number seven, continued deliberation. Project 20100410-21 Greenfield RV Park, major site plan review. The public hearing on that is closed. It's my understanding staff is going to walk us through a couple of things here and then we can begin deliberations.

So, you've all received the document that I handed out in an email that's the applicant's rebuttal to additional testimony received while the record was left open for an additional seven days, but just for the record, that's now exhibit 31, made part of the official record. So as Chair Heesacker mentioned, this is continued deliberation. The actual public hearing on this site plan review was closed on the 12th. However, based on a request from neighboring property owners, the board left the record open for seven days. An additional comments and testimony were received from concerned property owners and then an additional seven days was provided to the applicant to respond to that. So, no new testimony or information is to be part of a deliberation once the public hearing is closed, but I'll just kind of go through a kind of brief analysis of what we received as far as additional comment.

So again, a reminder, this is property at 420 Northeast Greenfield Road, and it's a major site plan review related to a proposed RV park. So, the city received written comments from 11 neighboring property owners opposing the development. Some of the concerns included concerns about safety, crime, protecting the existing views, describing that it's not an appropriate use for a residential neighborhood, concerns about lengths of stay requesting that they be limited, the historical significance of trees and structures on the site, concerns about traffic congestion, directional signage, and the issue of no turnaround if RVs were to the appropriate entrance, issues of noise, smoke, exhaust, and light, opposition to the specific storage units proposed, concerns about vermin control, a request for a wider buffer and additional or alternate plant materials for that buffer and a concern about using an existing encroachment on county property on the east edge of the site.

Additionally, the city received two petitions, one with 17 signatures and one with 15 opposing the development and one of the petitions specifically asked that the city extend or reopen the public hearing to allow more input from neighbors. So, the applicant responded and as you can see, there are several concessions that they have agreed to add to this development. They've stated that they will work with the city and ODOT to install proper directional signage. They've included in the exhibits, a response from their traffic engineer to some of the comments made by the neighbors. They've also agreed to extend the fence on the north and east side to a total of eight feet and a six-foot-tall fence with lattice on top and to widen the landscape buffer to 10 feet along the north and east property lines.

They've also agreed that they would not allow fire pits at individual RV sites nor generators. They also discussed relocating trash bins away from the property on the north edge and describe that they would use low silhouette lighting that's downward directed and shield all lighting to prevent glare and also added they would have 24-hour maintenance and video security.

So, staff's response to this to help clarify the staff report for the planning commission, as it was indicated in the staff report, we still feel that this is a permitted use in the zone, it's general commercial, and that with the conditions in the staff report, all the criteria have been met. Staff report has been slightly amended following the first hearing in relation to the preexisting encroachment on the east side. That would state that no uses are approved offsite, not, "of," and all buffering or fencing shall be on the owner's property. There was a question from one of the planning commission members specifically about the city's transportation system plan and if any impact from proposed improvements might affect this area. So just to clarify, there's an image showing several future street planned projects. We have tiers of projects. Tier one are projects that in the next 20 years, we believe will be funded and hopefully will be completed. Tier two are projects if we had 150% of our expected funding, we would start to work on, and

tier three are the projects we would start next after we've exhausted all of our funding and gone through the 20-year plan. We have one tier two project, which would connect Greenfield to Hillcrest Drive. Again, that would happen past more than 20 years out if we had 150% of our expected funding, hopefully, and then the tier three project would increase the width of Scenic and Scoville and build those out to, at least these sections, to a full city street.

With the applicant's rebuttal, there are a number of conditions that the planning commission may wish to add to this. That would be an amendment to the staff report, potentially increasing landscape buffer, as they've agreed to along the north and east property edge, prohibiting fire pits, generators at RV sites, some more detailed language about lighting, requiring low silhouette lighting and downward shielded lighting and requiring 24-hour staffing and continued video surveillance. With that, if there are any clarifications that staff can help make, we'd be happy to. Staff recommends that the planning commission approve the major site plan review subject to the amended conditions in the staff report, and then potentially including any additional amendments you'd like to make amendments potentially related to the concessions made by the applicant or others that you feel appropriate based on the criteria.

Thank you, sir. Questions of staff?

I have a question.

Commissioner Collier.

After reading the packet, and the additional comments, and the proposed additional comments, is there any reason to reopen the public hearing to take additional, additional comments?

There has been a request from some neighbors. They have voiced their concerns. Their concerns were the traffic noise, the development next door, so that's a judgment call for the planning commission. If there's something additional you feel you need to determine whether or not it's met the criteria, you could reopen the public hearing, but if you have all the evidence needed to know if it does meet or can meet the criteria, not requiring to reopen the public hearing.

Are you making a motion?

No, because everything that's been mentioned, that I was looking for are the subject matters that were presented in the signatures and the additional comments covered in this and it sounds like they have been, so I'm not moving to or reopen anything.

Okay. Are you, you're making any kind of motion at all? Any other questions for staff? Looks like you're off the hot seat for now. Before we begin deliberations, we do need a motion.
Commissioner Nelson.

Excuse me. I would move approval of this project as proposed at this time.

With the extra conditions?

Well, I had a question. You had a mention of the lighting, but I don't want to make the motion yet until I had an opportunity to clarify something he was talking about with the lighting. I guess I do have an additional question.

Go ahead.

When they're talking about the glare from lighting and so forth, if this project or any project was to go forward and they were to add in side streets or even put in roads for a project at this site, would they not have to have lighting?

Additional public city streets or private streets need street lighting. Any lighting that's proposed for commercial development or even residential is required and this staff report includes required to be downward directed, to avoid glaring directly into neighboring properties.

That's what I thought.

It was already conditioned governing kind of onset your own lighting and to answer your question, if they added a street, they would be required to install streetlights.

Well, they have streets to each of these sites and the sites would have what type of lighting?

So, we don't have standards for specific wattage, et cetera for onsite commercial lighting. We would for a public street that would be per specific power standard, so they're proposing that all lighting at the RV space be low silhouette lighting and shielded to prevent glare to other properties.

And that's what we would hold them to on that.

Correct.

Okay. Then I'll just make the motion.

So, are you going to stick with your motion?

Yeah.

Commissioner Collier, do you have a question to staff?

I was to go for the question on generators and how you enforce that because RVs are rolling in and out and in and out, then all of a sudden, somebody fires up a generator and then a neighbor goes, "Well, generators aren't permitted," then they make a phone call. It just seems amorphous.

Commissioner Nelson.

I was thinking that, but I thought, why would anyone fire up a generator where I can plug in my RV? And why would I need a dump station when all I have is each site has its own sewage hookup. I mean, there was one comment about that. Each site's going to have their own sewage hookup plus electrical outlet for lighting or electrical purposes in the RV.

You have a dump station on site for the people that use their toilet in transit.

Once you hook up, you can flush.

Yeah, I know. But when you're driving from point A to get to this place, sometimes they'll use the bathroom on the road and then they'll have to flush their tank before they hook up to their RV site.

Why?

It's just a courtesy in most RV stations?

Oh, I never had problems.

I guess that back to my generator question was how long are you going to let someone run a generator? Who's going to police that?

Well, usually it's written in the RV guidelines when you actually... And the only reason I'm answering these is because I frequent RV parks. Usually, you have a noise ordinance that you have to abide by. Most generators in RVs are shielded and have a decibel range below what you can really hear. If you have electrical hookups, then usually the RV park will have stipulations on between hours X and Y, dusk to dawn on, you can't run that generator even if the power goes out, da, da, da, da, da. So, I think it's written in the rules and regulations of a regular RV park.

I would just offer that the applicant has stated they're willing to make that a condition for any tenant of the RV park, so initially the applicant and the manager would be responsible for that.

More questions? Did you want to clarify your motion please?

I was trying to read the nice language and I lost my place on it. I would move approval as for the site as submitted with the conditions stated in the staff report.

With these four extra conditions up on the screen. Yeah? All right. So now we have a motion, do we have a second?

Second.

Commissioner Collier seconds. Okay. Now we're open for deliberations. Any commissioner questions, statement? All right. We'll move on to a vote. I can take a roll call. Commissioner Collier.

Yes.

Commissioner Nelson.

Yes.

Commissioner Aviles.

Yes.

Commissioner Arthur.

Yes.

I'm Eric. I'm voting yes. Commissioner Tokarz-Krauss.

Yes.

Commissioner Scherf.

Yes.

MOTION/VOTE

Commissioner Nelson moved, and Vice Chair Collier seconded the motion to approve 201-00410-21 ~ Greenfield RV Park Major Site Plan Review as submitted with the four extra conditions stated in the staff report. The vote resulted as follows: "AYES": Chair Heesacker, Vice Chair Collier, Commissioners Aviles, Tokarz-Krauss, Arthur, Nelson, and Scherf. "NAYS": None. Abstain: None. Absent: None. The motion passed.

All righty. Thank you very much. We're done with that item. The RV Park has been approved.

Public Hearing:

- a. 101-00140-21/301-00144-21 ~Pemberley Meadows Subdivision and Variance PC Staff Report

Next item on the agenda is a new public hearing item numbers 101-00140-21/301-00144-21, Pemberley Meadows subdivision and variances. All right. I should have dug my rules up before. At this time, I will open the public hearing to consider an application filed by... I am never prepared for this. Filed by the applicant, but I'm trying to find the applicant's name. Christo Arnette, and Brad Orton.

Page 137.

Thank you very much. I can't even find my page numbers on here. All right, I'll take your words for it. Thank you very much. Christo Arnette and Brad Orton 2599 and 2603 Williams Highway.

The application is for 10 lot subdivision, but not all 10 lots are being proposed at this time, right?

They are.

They are.

They are, but there's extra ones for the future. They showed a build out plan. [crosstalk] Here you go. Thank you very much. We'll begin the hearing with the staff report followed by a

presentation by the applicant, statements by persons in favor of the application, statements by persons in opposition to the application and an opportunity for additional comments by the applicant and staff. After that has occurred, the public comment portion will be closed, and the matter will be discussed and acted upon by the commission. Is there anyone present who wishes to challenge the authority of the commission to hear this matter?

Nobody's raising hands. Do any commissioners wish to abstain from participating in this hearing or declare a potential conflict of interest? Nobody's doing so. Are there any commissioners who wish to disclose discussions, contacts, or other ex parte information they have received prior to this meeting regarding this application? Nobody's indicating such. In this hearing, the decision of the commission will be based upon specific criteria, which are set forth in the development code. All testimony, which apply in this case are noted in the staff report. If you would like a copy of the report, please write that on a note to staff and one will be provided for you. It is important to remember if you fail to raise an issue with enough detail to afford the council and the parties an opportunity respond to the issue, you will not be able to appeal to the land use board of appeals based on that issue. The hearing will now proceed with a report from staff.

Good evening commissioners. My name is Jason Maki, I'm an associate planner here with the city of Grants Pass. Tonight, the project I'm going to be presenting is Pemberley Meadow subdivision and major variances. The project number for the subdivision approval is 10400140-21. And the variance request application number is 3010014421. I just want to kind of take a look back at the timeline of this project and just make you fully aware of how this has evolved. In October of 2017, the applicant requested review of a subdivision and variance request, project numbers listed in the presentation. The application was subsequently approved through a UAPC decision shortly after submission, that was later revised through a minor modification process to allow for an ADU on the existing single-family home that is on one of the lots. Development permit in October of 2018 was issued for that minor modification. There was two development permit extensions requested and approved. Unfortunately, those extensions expired making the application itself expired. The applicant later came in to submit a new application for review in September of last year. Due to some conversations with staff and the applicant, the applicant requested that the hearing be continued to a date uncertain, so you did recently see this on an agenda, but there was no deliberation. At that point, the applicant did submit a revised site plan at the end of last year, and now we're here today to discuss that revision. The applications include three variance requests. One is for cul-de-sac length that exceeds the standard as defined in the development code. The other is for private street standards related to the sidewalk and private street buffering. We'll talk a little bit more in detail about each of those. The subdivision tentative plan, it includes three parcels with a total of 8.62 acres. They are proposing 10 lots as part of the approval for tonight. It does include a future development plan, which we'll talk a little bit more later in the presentation. The zoning of all three lots is R18, which requires a minimum 7,000 square foot. The zoning, the intention of the zoning is single family residential, which is what the applicant is proposing. There is three parcels long east-west orientation lot here with a 25-foot flag lot that takes access off Williams Highway.

PART 1 OF 4 ENDS [00:23:04]

... lot that takes access off Williams Highway, another similar lot just to the north, and then this little, small lot here, which functions as a flag for access. It's actually not to standard for our normal frontage requirement of 20 feet. It's 15 feet and we can go into a little bit more detail about how that relates to the subdivision. This first picture here is looking at the southern

access, the flag that is connected to the south lot. It has a width of 25 feet and the picture on the right is taking a look at the 15-foot wide, small flag lot on the north part of the property.

Just a few details about the site. The Eastern portion of the lots are in a combination of class A and B steep slope. There was a condition in the staff report that the commissioners received calling out the fact that the applicant needs to submit a geotechnical report as part of an A-list condition. Since the issuance of the staff report, staff has received from the applicant a geotechnical report, so staff considers that A-list condition satisfied. There is a GPID canal that runs along the western portion of the property.

They didn't send out the link for the meeting.

Sorry, was there a question for staff on the phone? There is an existing single-family home with ADU on tax lot 900, which is the northern lot. Just wanted to call out the fact that the lots are identified in the master transportation plan for the future construction of Coach Drive. It's a little difficult to get a sense of it here, but this is the area of town that we're talking about. Here's where you can see the dashed line indicates the future construction of Coach Drive.

There are three variance requests. The first is for cul-de-sac length. These are a type of dead-end local access streets. Cul-de-sac streets shall be as short as possible and shall have a maximum length of 400 feet in the slope hazard district, which these lots are within that district and 250 feet in all other areas, unless a variance is granted by the review body. The new street, including the temporary connection will have an overall length of 650 feet as measured from the curb face on Williams Highway to the center of the Hammerhead turnaround and you can find the applicant's full response on exhibit five, but it's page 163 in your packet. Staff does acknowledge that base development code standards do not address the historic development patterns of the surrounding area or the topography challenges and their impacts on development of the subject site.

The second variance request is we have two classifications for private streets. For private streets that are going to serve up to 10 dwelling units requires a minimum street width of 22 feet with a curb width of four feet. Because of the narrow flag, the applicant is proposing to relocate the sidewalk to the northern flag. There will be a 22-foot portion of street paving on the southern flag with the sidewalk functioning as a pedestrian access onto the northern flag. Again, staff agrees that the base development code standards do not address the specific development patterns of this area.

The third variance request is standard code requires that private streets be buffered five feet from adjacent property lines. Because of the narrow flag and the requirement of the 22-foot wide, there's just not enough width of the flag satisfy those requirements. Similar to the other variance requests, they're all sort of connected or correlated with one another. Staff agrees that base development code standards do not address the historic adjacent development patterns of the subject site.

This is a screenshot of the tentative subdivision plan. These full-size plans can be found at the back of the packet. There's going to be eight smaller, pretty to-standard residential lots to the east and then two larger lots that are going to be proposed for future development, which are indicated as lots three and 10. Then, again, you can see the dashed line indicating the future location of Coach Drive. We don't typically focus heavily on the future development plan approval section of the code, but I will go through a few things just because this is one of the

more significant future development plans that we've received recently for a subdivision. Code section 17.52 states that whenever property is proposed to be partitioned or subdivided and there is potential for additional partitions or subdivisions of the property, in accordance with the provisions of this code, the partition subdivider shall submit a future development plan for approval, which the applicant did provide, which is here. You can see additional lots being proposed both on the north and south parent parcels.

There is some criteria for approval for a future development plan and it states that the proposed future plan allows the properties to be further developed partitioned or subdivided as efficiently as possible under existing circumstances in accordance with requirements for typical permitted uses in the applicable zone and comprehensive plan district and in conjunction with other development in the neighborhood. There's also some conditions that the hearing body can require for the approval of a future development plan. And those are stated here. I won't go through each one of them. One of the kind of standout conditions is an A list condition related to the future development plan. Staff is proposing a revision to the staff report, which strikes A list condition 2A which general restricted access to lots three and 10 in accordance with the list of conditions that we saw in the previous slide. Instead, staff is recommending the revision to include the conditions that you see bolded and italicized here.

Jason. Yes. So, I just wanted to point out, this is Brad Clark, so you don't have what Jason is showing up here in your packet. This information came up as a result of communications between staff and the applicant. Justin Gerlitz, the applicant's representative after getting the staff report, talking about the conditions, and then going back and forth. We just wanted to make sure that you were aware of what we have talked about. There's lot of back and forth. I should also point out that we have, I believe, Wade. Are you with us, Wade, on the phone?

Yep. I'm here.

Okay. We have Wade Elliot as the assistant public works director who's on the phone with us tonight as well. There's a lot of crossover when we're talking about extension of Coach going through this property between public works, the transportation plan, and what the development code would require. Frankly, there's two sections in the code that you can take into play with this issue. There's just a lot going on with it, so I think it's an important piece for the commission to spend some time on tonight. I think we need to let the applicant give their full testimony, but what you see on the screen here is a result of a conversation that I had with Justin Gerlitz prior to tonight's hearing that we came to agreement on but wanted to make sure that the commission has the chance to look at this, so maybe you could.

Did we print this slide out for the commission?

No.

Okay. Maybe we can leave that up and also, I can go get you a copy, so you can refer to this as the applicant is giving their testimony, so you can have a chance to look at it further.

Yeah. Actually, that might be a good idea if there's some other folks on the phone. You want to just maybe read those Jason?

So, the revised condition would read, "Submit two copies of a revised future development plan at the community development department indicating the following: as listed in the public work staff report, the applicant will provide a design for Coach Drive where it crosses the development property to ensure it is feasible to construct in the future. Based on the final design location, the applicant will dedicate a future roadway easement across the future right of way, accounting for slope easements if needed. This easement will be non-buildable.

"Subsection B. Pemberley Lane will be extended 20 feet into lot 10 to provide legal frontage for utility services. This extension will utilize the future Coach Drive design to make sure roadway grades and utility stubs are at correct locations. Subsection C. Any single-family home to be constructed on lot three and 10 will be a minimum 140 feet east of the future Coach Drive right of way per the future development plan. This will preclude construction on future lots, 11 through 12 and 18 through 19.

"Subsection D. If the applicant desires to construct a single-family home on all 10 lots, the existing accessory dwelling unit on lot one will need to be decommissioned. That's related to the fact that the private street can only support up to 10 dwelling units. Subsection E. Coach Drive improvements will be required at the time of building permit for the 11th dwelling unit and or any land division of lot three or 10, essentially moving forward with the future development plan will require the construction of Coach Drive."

One other revision to the staff report, which is related to the slide previously. In the criteria, it was stated that a condition of approval, it requires an easement for the future Coach Drive right of way. This is an important part of this future development plan, so just to ensure that this is being captured, staff is recommending a revision to include it in the A list. There was a couple of relatively minor typos, I suppose, in the public works memorandum, which are being suggested for revision. The first is 3A related to Grant's Pass Irrigation District. The current condition is explicit in saying that no storm water shall discharge into the irrigation system. After talking with Don Miller, the superintendent, he is agreeable to having some broader language that just says, plans must comply with standards as required by GPID. The second revision is related to sanitary sewers, I think is just a typo. The previous memo said the sewer applicant is proposing to extend public sewer made through private sewer lateral up to the project, but that should read private sewer easement up to the project. Staff is recommending the approval of all three variance requests, as well as the request for the 10-lot subdivision. Kind of threw a lot at you tonight, so if there's any questions for me, I'm happy to go into more detail about the future development plan and how that relates to this project.

Mr. Nelson, just to clarify, Pemberley Lane remains a private road, and so how do we propose Coach Drive goes through? Is that common having two connections? In other words, one going to Williams one now on Coach.

Yeah. So, at the time that Coach Drive has interconnectivity with adjacent right of way, then the current temporary private street section will be abandoned for a pedestrian access.

You're talking about that other one, I guess it's to the south.

Yeah. Let me pull it up here. Until the time that Pemberley Lane has interconnectivity with adjacent right of way, it will be privately maintained, but it's built to a local access standard. So once it has interconnectivity, then the city will take ownership of it.

Okay, because you said it was private, I was getting a little confused there.

Yeah. So, there is this portion to the west that will always remain private-

Ah.

... due to the fact that it's not built to a local access standard, but the section that is built to that standard, once the time comes that there is interconnectivity, then the city will take ownership of it, but until that time it'll be privately maintained.

Other questions to staff?

Do you have the slide to show that whole connection of Coach Drive and how far away the north and south connections are? Because it looks like it'll be quite a while before...

You just passed it.

Yeah. I tried to capture all of it in this shot. To the north here, you can see Curtis Drive and to the south, you can see the existing dead end of Coach Drive.

I thought there was one that was actually transportation plan that showed-

Yeah, it's a little hard to really see more granular. This is the best that we have as indicated on the master transportation.

I know. We've spent a lot of time trying to get all those connected through there off of Williams Highway to have a north-south connector. It's still a long ways away, but it's a good idea to have that dedicated and hold that. There was one other item I thought about. We talked about it a little bit at the time that we approved the pedestrian access being on the northern most east-west. I don't know what you call that. Is it a street or...? The 15-foot wide one.

That was five years ago and since then, there have been several subdivisions that had future road connections, but not immediate ones to provide a second egress from a subdivision in case of wildfire. I'm thinking of the one on F street, particularly where we asked to have an emergency exit provided until such time as there was another way out. I'm wondering if that would serve that purpose. We talked about it a little bit at the time, but since then, we've become a little more concerned about having that. It's not a big, because it's not very far away, but in case there's any blockage or problem with the lower one, it is another choice. I was wondering, is there a vehicle bridge now across the irrigation ditch or not on that northern 15 foot.

I'll defer to the applicant on where they're at in the construction. I'm a little bit more familiar with the southern flag lot.

Right. Well, I know that there's got to be one down there, but I just wondered if there was an old one left from access to that lot one up there.

Yeah. I could speculate, but I'll let the applicant speak to it.

Yeah. Maybe it wouldn't be necessary to have a vehicle exit, but at least a pedestrian escape route, which you have, if you have that being the pedestrian connection. Anyway, Justin can address that.

Other questions to staff? Did I cut you off? Do you have more questions? Marie, no? You're done?

Yeah.

Okay. I have a question. This future development plan that keeps throwing me. I'm looking at it right now and I'm seeing lots 14 and 21. Am I correct in assuming those lots will never be developed because they're so steep?

We do have a lot of homes go on very steep slopes, so with enough engineering, I would say anything's possible. Not being on the building side of things, I would be speculating again, but we have home sites go on very steep slopes.

Okay. Thank you for that. Anybody else, questions of staff? All right, applicant, come on forward and make your presentation please. Name and address, sir. We never see you here, so we like to know those things.

Evening commissioners, Justin Gerlitz, Gerlitz Engineering Consultants, 223 Northeast B Street here on behalf of the applicant tonight for Pemberley Meadow subdivision. I'll get the PowerPoint loaded up here. Here we go.

All right. So, I think maybe only Commissioner Arthur might have been here when we did this project originally. So, this was a project that was approved and actually started construction. I'll go through some details on that when we did the project, but due to various reasons of the applicant, it was delayed and then the approval expired, so we're here tonight to kind of renew that. With that comes a few minor changes more than anything. A lot of that to ensure what Jason was just talking about for future development and making sure that that could happen when the time comes. It is a 10 lot...

PART 2 OF 4 ENDS [00:46:04]

Sure, that that could happen when the time comes. It is a 10-lot subdivision right now, physically square footage-wise, it's big enough for 51 lots, but as Commissioner Heesacker just asked, the upper portion of it, of those larger lots is very, very steep and access would be very difficult to achieve up there without going through other properties above. It is going to be developed with similar homes, probably with a similar builder. The site does have... Excuse me, limited access as mentioned. And that's really one of the reasons that all these different private and public street items have come up tonight.

This is a kind of an overview showing the project, Coach Drive is to the north, Wagon Wheel and stubbed to Coach Drive has actually been built to here, this is an older aerial photo. So, we're two properties away on Coach Drive to the south, and one property away on the north side. My guess is the north property is probably the most likely to develop first because it is kind of a larger subdivision piece, so there is the potential that one project could make that connection. One thing to note in this image here is, Wagon Wheel, which is similar to Allenwood

to the south, and similar to McKenna Trail, which is in the same vicinity, they were all set up in a similar fashion. So, Coach Drive would eventually be the frontage road, and the connection to the State highway is the temporary connection today.

So, Wagon Wheel as you can see here, has a cul-de-sac bulb right on the highway. Allenwood is exactly the same way further to the south, and I believe both of those subdivisions had conditions that said, at such time Coach Drive connects through those entrances would be closed, which is similar to what we're proposing today. This is just a zoomed in photo. There is an existing home and since more recently, constructive accessory dwelling unit here. There is some small structures on the property, on the south property here that are all going to be removed. And then you can kind of see here that treed area that's really thick up here, is that steeper slope above the property. These are just some site photos, some older site photos, when we did the project originally. You can see here looking up the property, it's mostly undeveloped, up until that tree line, there's just a handful of trees.

This is one of the existing small structures that'll be removed. And then this is just standing up top kind of looking back towards the highway, through the main body of the lots to be developed. As asked by commissioner Heesacker, this is the existing vehicle bridge that goes over the irrigation canal on the 15-foot flag lot. So, that will remain in place, although it won't be used as a primary access for the project. These are some photos of the canal, this is the canal before it was fixed up and improved, it was actually in pretty bad shape when we started this project, a lot of the concrete was cracked and broken. And since then, I'll show you some photos here, it has been improved substantially. This is the 15 foot flagpole from the highway down below, and this is the neighboring property owner's driveway next to it, they kind of parallel one another.

This is standing in that driveway, looking back towards New Hope Road there. And then this is looking the other way down the highway, which all has sidewalk improvements, currently. This is actually a picture from today, very frosty this morning. This shows what improvements have been made there since the project was originally started, that included the subgrade, the rock that was built up to the irrigation crossing, and if we look back here, an irrigation culvert was constructed as part of that project, it's going to have eventually some bridge rails across that for protection, for vehicles and driving in there. You can kind of see some rebar sticking up there, so they just haven't been constructed yet. And then the irrigation canal has been significantly improved, the irrigation district kind of is part of this project, it's kind of their own project as well. Fixed all those broken panels, picked up the actual elevation of the top edge of this thing, which has had some flooding issues in the past, it looks a lot better today.

And this is that temporary private street kind of coming up from the highway into here, and I'd be standing right about where the cul-de-sac is going to go. And this is what some of the grading that occurred up the hill as part of the original construction. As Jason went over, we're kind of focusing on the lower portion of this project right now, most of that's the limitation on this temporary private street of 10 lots. The applicant does have the desire to further develop this as time goes on, but again, we're at the mercy of the neighboring developments occurring, who goes first. So, this is just one of the vital pieces in the middle, and we're really spending some time with the city staff to try to make sure we accomplish the ultimate goal of having that road go through.

This is kind of a zoomed in version down below showing the existing house. So, these are lots, standard for this area, the R1-8 zone, we don't do a lot of R1-8 development these days. So,

these are 7,000 square foot minimum lots, road running down the middle. And as mentioned, the goal here is Pemberley Lane will become a public cul-de-sac street, but because there isn't public access to that cul-de-sac street today, staff would like to have it as a privately maintained street all the way through until such a time, it connects to Coach Drive. So, we're going to be working with the city engineering division to design this, inspect it, just like it's a public road, all the utilities, all the connections. So, when Coach Drive does go through, they'll have all the records associated with the fact that this is a publicly... They can adopt it into their system.

Down here, this is kind of zoomed in version here, you can see we've already constructed the water line from Williams Highway up to the cul-de-sac, we've built that private street road minus paving. There is a public sewer main that's stubbed into that 15 foot flagpole, so the sewer main will continue up that flagpole and into the development. And that'll serve basically everything uphill of this in the future, potentially including the neighboring developments. The cul-de-sac again, street profile, this is the steep slope cul-de-sac section, because we are in the steep slope area. So, it will be constructed to that public standard in its entirety, up to the cul-de-sac bulb. The private street, which is this little piece right here fits in between the flagpole that's there today. It will be constructed to the same standard for a private street for 10 lots, except for that sidewalk that's usually attached to it is being moved over to that 15 foot flagpole.

That flagpole, because there's a sewer main in it, a smaller one, also would be graveled to its full width, the full 15 foot width, and that allows sewer maintenance vehicles to get out there, and potentially if there was an emergency, a vehicle could drive across that bridge and drive down it. These are the same conditions that Jason listed, so I won't spend time going through them, but again, we kind of agreed to a format for those upper lots where we can ensure that that future road could be constructed, and nothing would be constructed in the way of it.

And here are those upper lots right now, so this is how they will sit when they're developed in this first phase. And then we get into the future development plan. Lot numbering is a little confusing on here, we try to renumber them for the future development, which shows that ultimately there'll be a total of 21 lots, we anticipate, when Coach Drive is built and this project developed in its entirety. The owners of this project, we have two owners, are looking to probably develop a single-family home on these larger lots. And as commissioner Heesacker commented, the home will probably be at the base of these lots, and then the hill above will likely just stay forested for the long-term future. This is just a zoomed in version of that. We anticipate this upper portion will probably be a private street once Coach Drive is built, and then Coach Drive will run through here within that easement. As included with most projects, we have a steep slope erosion control plan which is in your packet, this is just an image of that. This hatching here is denser, up here is the steeper area, the hatching down here is what's considered the lower class of steep slope below, which is where the project's happening. Also included is a tree plan, is included with any subdivision showing, we have plenty of trees, plenty are going to remain, and then we'll replant for each new lot development.

I'll zoom back in here just as... in closing, and I think there was a couple questions. One of the corrections Jason, that had been made for the sewer easement, I think it still said private, it's actually going to be a public sewer easement. If we can make that correction. And again, there is a bridge there, commissioner Arthur had asked about the potential secondary access, and yes, there will be a potential secondary access that will remain there as part of the project. Variances, one of the things on these variances that we're requesting tonight, they're very, very specific to this very awkward configuration, that has been there for a very long time. One thing to know that's important though is, the variances that we're requesting now are only for this

temporary access road, this private street that's going in today, once Coach Drive is built and connected up here, this private street will essentially go away, it will remain as just a water maintenance access.

And then when it comes to the length of the street, today, it sounds long, I think it's 600 and some feet, from the very bottom to the very top. Once Coach Drive is connected in here and connected back to this cul-de-sac and this is closed, the length of that cul-de-sac is only I think, 418 feet, which is only 18 feet longer than the actual allowed road length in this area. So, important things to know. Again, one of the important things that are variances, is it the minimum required? Is it based on existing conditions and not conditions that the applicant created? And I think we can show that very clearly here tonight. Overall, we believe the subdivision and development, especially on the south side of town, there's very limited properties available to develop anymore within the UGB, is an important addition.

We are going to be creating nine new lots, with the 10th lot already there, with the house on it. So, traffic will be very limited onto Williams Highway, which has 11,000 cars a day on it, right now. It does provide a very good layout, again, with very good consideration and in coordination with staff, I think we've really set this thing up for what it needs to be for future development, with Coach Drive going through the middle. And with that, we're asking for approval to them, the subdivision associated variances. So happy to take any questions.

Questions to Mr. Gerlitz? Are you raising your hand? Anybody have questions for the applicant? Anybody else going to speak on your behalf?

Only if needed. Not right now.

All right. Looks like you're off the hot seat for now, thank you very much. Is there anyone who would like to speak in favor of the application? Is there anyone who would like to speak in opposition to the application? Sir, come on up to this microphone here. Give us your name and address and you have at least three minutes.

Okay. My name is Bruce Wiznap. I live at 2601 Williams Highway.

Hang on one second, is the red light on the base of the microphone? The other box there, the base of that microphone, is there a red light on?

Yep.

Okay. Thank you very much. Continue on.

I live at 2601 Williams Highway, just to the west of the cul-de-sac.

If you'd like, you can take your mask off [inaudible].

A few things we wanted to talk about, the road prep work was started before the surveying was finished by the surveyor who is, or was the county surveyor, the property line steak was not in yet, and they used the steak that marked something else. It damaged our property, which they have made more or less correct, but the road that they've built, the temporary road coming up off Williams Highway going to the cul-de-sac, that road, the roadbeds are between seven and

nine feet onto our property, there is no retaining wall holding that road in, so the road is continually sloughing down and it's encroaching onto our property. There's water flowing out of their roadbed onto our property, and we've had to dig trench drains, trying to drain the water away from our house. What we're wanting on that side is to have the retaining wall put in and be given a time that that retaining wall we be put there. We were originally told there was going to be a retaining wall there, but since 2017, we've seen nothing, that's enough time to put a retaining wall in.

Also, on the other approval that we had back when we spoke on this originally, we asked for a fence to be put down the middle of the two driveways, their 15 foot driveway and ours is right next to it. As you saw in the pictures, we have an RV parked there, we have our garage right there, and having a public sidewalk going right beside our RV, right beside our garage, they approved and said, yes, it was reasonable for the subdivision to put a fence line in between the two driveways to protect our property from whatever. And I haven't seen anything or heard anything about that, and I wanted that to be brought up. And I think that's about it.

Thank you for your time, sir, much appreciated. Anyone else like to speak in opposition to this project? Same drill, sir. Come on up to the microphone name and address.

Yeah. My name's Scott White. I live at 2627 Williams Highway. I'm just concerned about the road. It just looks like it cut into my property, and I just want to get it surveyed by my own surveyor, which is going to be expensive, but I feel I need to do it. I've had about 20 people tell me; it looks like part of my property was taken for that road. If you can go back to the road view, if you can go pull up the pictures up.

Thanks, Jason.

This way.

Yeah, right there. It looks like they changed the encroachment and everything, and they took about five foot on my property and chopped the corner off right there.

Are we looking at the left photo or the one on the right?

The one on the left.

Okay.

Yeah. Just the survey didn't seem right to me, it always has. I was under the understanding, it wasn't going to happen anymore, the subdivision, so I kind of just let it go. But now, since I got this letter, that's why I'm here. I would've come to the first meeting about this, but they came and surveyed it, and about a week later, they came back and surveyed again, and that's when everything seemed wrong to me. All the property lines run straight right there, and it just goes at an angle. So, that's my concern, I just want to get my own surveying done. Peter Allen was the surveyor and I believe he wasn't correct about what he did on my side there. So, that's it.

Thank you very much for your testimony. Anyone else like to speak in opposition to this project? Does the applicant have any final comments?

Well, I appreciate the neighbors coming to tonight, I'll try to answer a couple questions for them. Timing obviously, the project got stalled for a long time, the applicant's intent is to complete the project, I think this year, is his goal, so hopefully it will happen quickly. These retaining walls that aren't there right now on that public street or the private street portion, will be constructed within the property lines. So, that'll resolve, I think any of the concerns right now of potential encroachments. Property was surveyed by Peter Allen, who's a reputable surveyor in our area, he's county surveyor as well. And so, when this project is plotted, everything will be set, property corners pinned, and we'll make sure that there're no encroachments of any kind, with the roadway onto the adjacent properties.

There is, that the approach that is in front of that development on the left picture, is not aligned with the property lines. One of the things on this project that we're going to do is, we're going to cut that approach out, center it within that current flagpole that's there, where the road's going to be. So, that does kind of skew when you look at that, it appears it's kind of shifted one way and it is actually shifted one way. So, hopefully that helps clarify some questions for the neighbors, and if you have any additional questions, I'm happy to answer them.

Commissioner Arthur, do you have a question?

Well, I'm not sure that it's a question, but I would like to, when we get to the point of making a motion, I'd like to include an amendment to have some kind of egress allowed on that northern, what are we calling that?

I guess the flagpole or sewer easement, over the sewer easement, maybe for reference.

Sewer easement and with a bollard or something for emergency egress. And because it's kind of, I assume, a lower grade wooden bridge, there might have to be some weight limit, or something applied to what would be allowed to go over that. But I think it would be a good precaution, not just for fire, but if for some somebody slid off that culvert down below into the river, into the ditch, nobody could get in and out. I mean, there would be other reasons to be able to use that temporarily for egress. But my question would be, would you see some kind of a requirement as a part of that amendment?

We're basically following the original design on this, with a few minor modifications. So, the original design had a bollard across that driveway.

I thought so.

It is sufficient for a regular vehicle right now, it's not sufficient for a heavy vehicle by any means, a concrete truck or firetruck. And we did have a bollard there, the intention is that's going to be used for pedestrians from the subdivision to get down Williams Highway sidewalk. But the bollard, I think it was removable, if I remember correctly, to where a single vehicle could drive across it. But they are pretty close to one another in the subdivision right now without Coach Drive tucked back by the highway. Fire concerns are always a concern in our area, but in this situation, we're not getting people way, way, way up the hill in particular, maybe one house. It will remain there; we're not taking the bridge out.

So just make it subject to what? Road standard, or how would you word it? Any limitation on it?

Yeah. The bridge isn't sufficient for a road, highway rating is what we typically refer to, or bridge rating. The intention was to keep it primarily just for people to walk across it, pedestrians.

Other questions?

I have one to [inaudible]. So, you had mentioned the retaining wall, that the owner is intending to get that taken care of on behalf of the neighboring property owners, and the first one, I believe you mentioned fencing as well. Is this also intended to be addressed?

Yeah. I know last time we talked to the same neighbor about the project, there was fencing brought up, but then there was also some discussion on his RV, which was mentioned tonight, about difficulty getting in and out with fencing. So, we could put some fencing down a portion of that, I think that's what we had on the last one was, maybe the upper portion had some fencing coming down for a portion of the driveways, and then the lower portion didn't.

Right. And there's nothing in the information that we have that would address that these... we haven't really gotten to this point. So, in 2017, when this all started and whatnot, obviously some of these issues were brought up then, it was stalled, we're now back at it, and I guess what I'm getting at is that the owner has every intention of accommodating the neighbors to the degree possible here.

Yes, yes. And finishing the project. And I do you understand, if I was a neighbor, the project was going to be built in 2000... I think it was 17, 18, and it didn't, and it's been sitting, I sense that frustration, I would have the frustration, and the full intention is to complete the project and get it done and have everybody fences up, road built, everything paved, and reducing dust and everything else associated with the construction.

It's the wraparound of the two properties.

Yes.

It's the two different lots that makes it a little unique.

Yeah. It's two individual flag lots stacked next to each other. Normally the flagpoles are next to each other, in this case, they're opposing one another. So, I definitely had to get creative and look at short term versus long term needs, for the roadway system.

Yeah. Thank you.

You're welcome.

Anything else for the applicant? Thank you very much.

PART 3 OF 4 ENDS [01:09:04]

[inaudible]. Thank you very much. Staff conclusion. Do you have any final comment, staff?

On the buffering, article 23 is what gives the commission the authority to buffer or not to buffer and it's established really for different uses, where you have commercial next to residential.

Now, as the first application that you had on your agenda tonight, you had determined that there really was a pretty clear conflict between the RV park and the adjacent residential. In this case, you have residential to residential. I think Commissioner Tokarz-Krauss' question was good to kind of present it to the applicant to say, "Are you willing to work with them?" I think from staff's perspective, that probably is the better approach to have the two private parties work that out. Because if you look at article 23, it really doesn't talk about the authority to buffer that. Now I understand the owner's point in terms of having pedestrians walking up and down that easement there and being so close to the RV. I think as you deliberate, just bear that in mind in terms of what the code says.

Questions for staff? Are you sure? I'm going to close the public hearing. I'm not kidding, I'm going to do it. All right. The public hearing is closed. We need to motion so we can deliberate. Whoever is making the motion, be aware. Staff, are we striking condition A-5 that requires the geotechnical report because we received it?

We can do that.

Yes, we do.

I think my thought was, is that just at, it's just set satisfied now, but if it's cleaner or that's what you would like to see, we could strike that as a condition.

All right. Thank you very much. So, as we have done in the past, and it is my belief that if we don't work with the variances first and those don't get approved, then we don't approve the rest of the subdivision. So, is anybody prepared to make a motion for one variance or all three together? It's up to you, Commissioner Nelson.

Well, that's what I was going to ask is last time I thought there was going to be a railroad, but it wasn't. When we can do all three variances at once.

I mean, I guess you could. I mean, technically these-

And if someone objects to that, they could amend or sure not vote for it or take it out.

So, I was going to ask if anybody wanted to pull any one of these three variances for extra discussion.

That would [crosstalk].

Because they're all pretty much related to the same gig. And I agree with you, I think we can do all three at once. So go ahead and make your motion.

My motion is to approve the recommendations from staff in regards to the variance in the cul-de-sac link standards, the private street width standards, and the street section, the design standards.

All right. I think that's a great motion. Thanks. Any of these extra conditions that we want on the report, any of them related to the variances? The A2A, A2E.

And we have to include that in the final motion.

They are not related to the variance.

Okay. So they would be in the final motion, correct?

Yes. Yes.

Okay. So, we have a motion on the table to approve all three variances at once. Do we have a second?

Second, Collier.

Commissioner Collier seconds the motion. Deliberations. All right. I'll do a roll call vote again.
Commissioner Collier.

Yes.

Commissioner Nelson.

Yes.

Commissioner Aviles.

Yes.

Commissioner Arthur.

Yes.

I'm voting yes. Heesacker votes yes. Tokarz-Krauss?

Yes.

Commissioner Scherf.

Yes.

All right. The variance portion of this is out of the way.

MOTION/VOTE

Commissioner Nelson moved, and Vice Chair Collier seconded the motion to approve the recommendations from staff in regards to the variance in the cul-de-sac link standards, the private street width standards, and the street section, the design standards. The vote resulted as follows: "AYES": Chair Heesacker, Vice Chair Collier, Commissioners Aviles, Tokarz-Krauss, Arthur, Nelson, and Scherf. "NAYS": None. Abstain: None. Absent: None. The motion passed.

Do we have a motion for the remainder of the subdivision? Commissioner Nelson, thank you for always doing the motions. I appreciate that.

It's all right. I just like to get the work done. Approve the request for the 10-lot sub to the approval with the conditions A through E as provided by staff tonight. On the record tonight.

Staff with this motion being made, have we nailed down all these extra conditions and all the other things that we discussed with this motion? I just want to make sure we're getting everything covered.

I mean, I think it's important that all the commissioners are clear on the changes that Jason presented. And if you are, then I think that's it. You're going to get the findings of fact back at your next meeting. So, as you know, this isn't technically the final decision. Your final, final isn't until you actually see this all again in writing at the findings of fact. But as long as everyone's comfortable, we will draft those findings based on what Jason presented. So, unless there's any clarifications, then I don't think we have anything more.

Okay. I have one more question. Hang on.

You might want to put A through E up again because we didn't get a copy of that.

Sure. That's a good idea.

And the print was so big.

I can't.

So, staff, I have a question when you get a minute. Ryan, you can probably answer this. Those typos that were noticed in the public works report, do we need to have those typos fixed? Should we make that a part of the motion?

Well, we were just chatting through that a little bit.

Whatever [inaudible]. There was two or three. Speaking.

I think the recommendation would be just a motion that was more broad changes as revisions as proposed by staff.

Could you please reword your motion?

I would recommend approval of the 10 lot subdivision with the conditions of approval with A through E as presented and with the Scribner's corrections as presented by staff.

Great motion. Thank you very much, Commissioner Nelson. Do we have a second?

Collier seconds.

Commissioner Collier seconds. Deliberation. Anybody want to discuss anything? Questions, comments? Commissioner Arthur, go right ahead.

I do. Because those things we talked about that were in the original plan to have the emergency egress on the 15-foot-wide sewer easement, I didn't see anywhere in this set of conditions. I don't think they're there, are they? I think I didn't find them.

You're suggesting a friendly amendment.

Yeah, because it was already seconded. So how do you want to proceed? I make an amendment?

Commissioner Arthur has a friendly amendment to add in a condition that says...

It says that until there is access on Coach Drive, that the 15-foot-wide sewer easement be made accessible for emergency egress. And I don't know whether we need to put a weight limit or anything in.

And not about a Ballard.

Well, that would be the... The Ballard would be the making the emergency access usable.

So, this is a good wrench about the weight on the bridge. How do we say this is emergency ingress, egress for cars that weight blah blah?

Well, 75,000 pounds is typically right in that range, gross GVW to support emergency. And you also don't have, you're not talking about only the ability to carry the weight, but also the width. Because the fire standard is a minimum of 20, and that's only 15. So, the implications would be to rip out the bridge that was depicted up there, the wood, and install probably a concrete culvert or something else that's capable of handling a 70,000 to 75,000 pound vehicle and widening it, which we didn't get into in the public hearing. So that I think, that would require more input from the owner.

That was not my intention to require that level of temporary construction, but just to allow people to escape or get out of their subdivision if the other road is blocked.

So, if you did not use the term emergency vehicle access.

Okay, I see what you mean.

Then that's the... that was your term. So, if you're only talking about pedestrian and a single vehicle, I believe Mr. [inaudible] did refer to the fact that if necessary, a single vehicle, but not emergency vehicle access.

You want to try and reword your friendly amendment?

I don't know. It seems like you need an adjective, but maybe not.

But egress, you're looking mainly for egress for the inhabitants or the occupants there. So minimally, just in the event of an emergency.

So don't use the word emergency.

Well, it's emergency vehicles, I think is the problem. Because those are the vehicles that are of the larger size weight and would be difficult. And you want to make sure that the people living there have the ability to escape an emergency situation and use that as an access way in event of such an event. Using the event lot of times, but anyway. Suggestions on how best to word, minimal wordage.

Can we make an amendment out of that wording?

Thinking.

I guess I would move that. You want to second it? Yes, no?

I'm trying to word something here. Use of the northerly access point for residents of the subdivision to escape any disaster. No use of the word emergency.

And I would move that. Susan, do you want second? Okay.

Sorry. It would be an amendment to the first motion.

Yes, yes. So, you're making a friendly amendment to his first motion. Do you accept this friendly amendment?

No.

He doesn't like it.

And I'll say why. One, is liability issues concern me. We haven't had a hearing in regards to this. So, if you want to postpone and have a hearing on that, then I would think that would be the safest bet. Requiring the project who has not even considered that in their project to be an access point for emergency, or and disaster is probably beyond the scope of what they can provide.

Maybe I'm misunderstanding, but I thought that was discussed earlier, prior to this of course, in like say 2017, of course. Commissioner Arthur being the only one of us here, I thought it was not. I'm seeing the head shaking. Okay. Right now, it's pedestrian only.

Would you accept any kind of amendment there? I think I'm hearing you. If we do anything with this, we're going to have to open a public hearing back up and go notice it.

That's my feeling.

I'm having to agree. So, we're ready to pull your friendly amendment.

Doesn't exist. Doesn't have the support.

I'm not seeing the support for this. Well, he's not willing to accept the friendly amendment, and he would have to reword the motion.

You can make an amendment after the motion has been made. She can make her own amendment to the motion. That's okay. But as far as friendly amendment, I'm not accepting it.

Okay. Are we going to make two votes here then? One on your motion and one on hers?

No.

No. Her amendment is tabled because it does not have support. So, you need to move on with motion that Mr. Nelson has made.

That's not true. She has two courses. She can do the friendly amendment, or she can make an amendment to the motion.

After the motion is voted on, correct?

No.

No.

No. She would make the amended... she can make the amendment motion. If it's a seconded, then that would be voted on. Then we go to the final motion.

That's the way you do it. I don't know.

Try again, please, with the amendment. I crossed mine out. I didn't think we were going to do it.

I'm not quite sure. We discussed it during the hearing, and it was part of the original proposal years ago. So, I'm not sure why it would require a separate hearing.

From my understanding the original proposal was expired and they had to go through the whole brand-new thing, so you're looking at what is today, what was yesterday. It's no longer available. That's the way I'm looking at it. [inaudible] as well as if we're having discussion on this, this plan has gone through all the departments of the city, meaning it's gone through the fire department. And if they have accepted this plan and given their blessing that they have emergency access through the one access to the temporary access to the culvert, then I'm satisfied that there's enough emergency access to this site.

Go ahead and make your amendment.

Okay. My amendment was to include or ensure the use of the northerly sewer easement access to escape any disaster, that the residents would have the ability to do that.

There's the amendment. Do we have a second?

I'll continue to second it.

Commissioner Tokarz-Krauss seconds. Here, I need that back. Thank you. So, I'm going to do a roll call vote. This is on the amendment to the motion. Commissioner Collier?

No.

Commissioner Nelson?

No.

Commissioner Aviles.

No.

Commissioner Arthur.

Yes.

Commissioner Tokarz-Krauss.

Yes.

I'm Eric, I'm voting no. Commissioner Scherf?

No.

Okay. So that amendment fails.

MOTION/VOTE

Commissioner Arthur moved, and Commissioner Tokarz-Krauss seconded the motion to approve the approval of the 10-lot subdivision with the conditions of approval with A through E as presented and with the Scribner's corrections as presented by staff and to ensure the use of the northerly sewer easement access to escape any disaster. The vote resulted as follows: "AYES": Commissioners Arthur and Tokarz-Krauss. "NAYS": Chair Heesacker, Vice Chair Collier, Commissioners Aviles, Nelson, and Scherf. Abstain: None. Absent: None. The motion failed.

I know you're going to hate me for this, but could you please state the original motion?

I would move approval with the request for the 10-lot subdivision as conditioned with the items A through E and as to the Scribner corrections provided by staff tonight.

Thank you very much. Commissioner Collier, you're still seconding that?

Sure.

Okay. We got a second. I'll do another vote. Oh, any deliberation over that motion? All right. Roll call vote on the subdivision on the motion on the table. Commissioner Collier?

Yes.

Commission Nelson.

Yes.

Commissioner Aviles?

Yes.

Commissioner Arthur?

Yes.

I'm voting yes. Heesacker votes yes. Commissioner Tokarz-Krauss?

Yes.

Commissioner Scherf?

Yes.

Thank you very much.

MOTION/VOTE

Commissioner Nelson moved, and Vice Chair Collier seconded the motion to approve the request for the 10-lot subdivision as conditioned with the items A through E and as to the Scribner corrections provided by staff tonight. The vote resulted as follows: "AYES": Chair Heesacker, Vice Chair Collier, Commissioners Aviles, Tokarz-Krauss, Arthur, Nelson, and Scherf. "NAYS": None. Abstain: None. Absent: None. The motion passed.

Matters from Commission Members and Staff:

Next on the agenda, matters from commission members and staff.

I think from staff's perspective, we had talked a couple of months ago about the middle housing code amendment. It impacts five different articles, I think it is. I think we had indicated tonight, we may present that to you. We're going to be doing that on February 9th at your February 9th meeting, just to give you more time with it. There's a lot to it. And I think it would help the commission, let's put it that way, if we gave it to you ahead of time in a more cohesive so you can look at it and have better rather than just putting. So, we'll put that on your February 9th. A review, more like a workshop, not a hearing of the middle housing code amendment. So, you'll have that your next meeting.

All right. I will also have findings of fact for Pemberley.

Yes.

All righty. Anything else from staff? Commissioner Scherf, do you have anything for us?

No, thank you.

Commissioner Tokarz-Krauss?

I just want to remind whoever puts these packets together to make sure that we all have the foldouts. The one I originally received, which was in, I think Commissioner Scherf's, does not have any foldouts in it. And in this case, as you can see, it'd be very helpful. So, I'm sure that was just an oversight, but a reminder.

It's okay. I'm at the kids' table.

So, I have one item here. Commissioner Nelson, thank you so much for making that motion. I just want it straight for the record. I can tell you're getting frustrated. I don't blame you. I would too. So, you're not going to catch me after the meeting. I'll be out of here. Thank you very much. Commissioner Arthur, do you have anything? Commissioner Aviles?

Nothing.

Commissioner Nelson?

Yes, I would, no.

Commissioner Collier?

He's already left, but I was going to commend Mr. [inaudible] for his work on the RV park. It seemed like he went back, readdressed, readdressed, and I just feel good about what he's done.

That's his style. I've seen him do that on another projects.

It works out. My other comment would be, I'd always love to hear from Brad, the status of the future of the BLM parking lot. I'm always curious about how that's going.

Sure. Well, it's engineered. And because of the weather, we just haven't put out the RFP yet. If there's going to be still some rains and whatnot, we just don't want to be digging around too much up there. But the engineering is done for it. We are going to go out to bid to see which kind of contractors want to come into town and build it. But we'll put out that, I think, in March.

So, you think we'll see that this summer?

Oh yeah.

That'd be awesome.

Yeah. No, it's funded, so it'll be built.

No, I just [crosstalk].

You want us to get you a shovel?

Anything else from anyone? Staff, thank you. Good to meeting you tonight. Meeting adjourned.

PART 4 OF 4 ENDS [01:30:56]

 ERIC HEESACKER

Eric Heesacker, Chair
Urban Area Planning Commissioner

2-9-22

Date